

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

NATALIA POZNIAK,

Petitioner,

v.

VLADIMIR SHWARTSMAN,

Respondent.

Case No. 20-cv-02956-AMD-RML

[PROPOSED] CONFIDENTIALITY ORDER

IT IS HEREBY ORDERED that the following provisions shall govern claims of confidentiality in the above-captioned proceedings:

1. The documents and information produced or disclosed by the parties in these proceedings, including any documents produced in response to petitioner Natalia Pozniak's First Request for Production of Documents and respondent Vladimir Shwartsman's First Request for Production of Documents to Petitioner (together, the "Document Requests") and respondent's Interrogatories to Petitioner (the "Interrogatories" and, together with the Document Requests, the "Discovery Requests"), may be designated:

- a. "Confidential," meaning they shall be accessed only by the parties and their respective counsel solely for the purposes of preparation for and use in the above-captioned proceedings and for no other purposes whatsoever, and shall not be disclosed to any person except in accordance with the terms herein; or

- b. “Attorney’s Eyes Only,” meaning they shall be accessed only by the parties’ respective counsel solely for the purposes of preparation for and use in the above-captioned proceedings and for no other purposes whatsoever, and shall not be disclosed to any person except in accordance with the terms herein.
2. Any documents or information disclosed in response to the Discovery Requests relating to this matter shall be subject to this Protective Order.
3. Documents or information designated “confidential” or “attorney’s eyes only” (together, the “Designated Materials”) shall be shown only to the attorneys, parties, experts, actual or proposed witnesses, court personnel, and other persons necessary to review the Designated Materials for the prosecution or defense of this lawsuit. Each person who is permitted to see the Designated Materials shall first be shown a copy of this order and shall further be advised of the obligation to honor the confidential designation. Before the Designated Materials are shown to experts, actual witnesses, or proposed witnesses, each person must agree to be bound by this order by signing a document substantially in the form of Exhibit A. If such person refuses to sign a document substantially in the form of Exhibit A, the party desiring to disclose the Designated Materials may seek appropriate relief from the Court.
4. Review of any Designated Materials by counsel, experts, or consultants for the parties in the above-captioned proceedings shall not waive their confidentiality designations.
5. The inadvertent, unintentional, or *in camera* disclosure of Designated Materials shall not generally be deemed a waiver, in whole or in part, of any party’s claims of confidentiality.
6. Within a reasonable period after the conclusion of the litigation, all Designated Materials shall be returned to the respective producing parties or destroyed by the recipients.

7. All parties to the above-captioned case are hereby bound by the terms of this Protective Order.

8. A party seeking to modify the Protective Order shall seek the permission of all other parties in the above-captioned proceeding. If the parties are unable to agree, a party seeking to modify the Protective Order may seek relief from the Court.

New York, New York
Dated: November __, 2020

SO ORDERED:

HONORABLE ANN M. DONNELLY
UNITED STATES DISTRICT COURT JUDGE

EXHIBIT A

I have been informed by counsel that certain documents or information to be disclosed to me in connection with the matter entitled *Pozniak v. Shwartsman*, case number 20-cv-02956-AMD-RML, have confidential designations. I have been informed that such documents or information labeled “confidential” or “attorney’s eyes only” are confidential by Order of the Court.

I hereby agree that I will not disclose any information contained in such documents to any other person. I further agree not to use any such information for any purpose other than this litigation.

Print Name: _____

Sign Name: _____

Dated: _____

Signed in the presence of:

_____ (Attorney)